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## **MINUTES OF COUNCIL STUDY MEETING – OCTOBER 20, 2009**

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THE CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, OCTOBER 20, 2009, AT 4:30 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR PRO TEM BROOKS.

### **THE FOLLOWING MEMBERS WERE PRESENT:**

Russ Brooks  
Carolynn Burt  
Joel Coleman (Arrived as noted)  
Corey Rushton  
Steve Vincent  
Mike Winder (Arrived as noted)

Wayne Pyle, City Manager  
Sheri McKendrick, City Recorder

### **ABSENT:**

Dennis J. Nordfelt

### **STAFF PRESENT:**

Paul Isaac, Assistant City Manager  
Kevin Astill, Parks and Recreation Director  
John Evans, Fire Chief  
Layne Morris, Community Preservation Director  
Nicole Cottle, CED Director  
Buzz Nielsen, Police Chief  
Russell Willardson, Public Works Director  
Claire Gillmor, Acting City Attorney  
Ken Olsen, Acting Finance Director  
Jody Knapp, CED Department  
Steve Pastorik, CED Department  
Aaron Crim, Administration  
Jake Arslanian, Public Works Department

1. **APPROVAL OF MINUTES OF STUDY MEETING HELD OCTOBER 6, 2009**  
The Council read and considered the Minutes of the Study Meeting held October 6, 2009. There were no changes, corrections or deletions.

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After discussion, Councilmember Burt moved to approve the Minutes of the Study Meeting held October 6, 2009, as written. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mayor Pro Tem Brooks	Yes

Unanimous.

### **2. GRANITE SCHOOL DISTRICT – BOND ISSUE ON NOVEMBER MUNICIPAL GENERAL ELECTION BALLOT**

City Manager, Wayne Pyle, recognized representatives from Granite School District including Dr. Stephen Ronnenkamp, Superintendent, Ben Horsley, Communications & Marketing Director, and Terry Bawden, Board member, who were present at the meeting. He noted they were in attendance to present information regarding the bond issue on the November Municipal General Election ballot.

Dr. Stephen Ronnenkamp addressed the City Council and discussed the capital outlay budget, current strategy and needs for the next five to eight years due to growth, and the need to build five new schools. He also gave an overview regarding Granite School District Board actions relating to approving placing the bond issue on the November ballot.

Councilmember Winder arrived at the meeting at 4:33 P.M.

Dr. Ronnenkamp stated there was currently a good construction climate with historical low interest rates, and no tax increase would be proposed for citizens.

Councilmember Coleman arrived at the meeting at 4:35 P.M.

Dr. Ronnenkamp showed a video with information summarized as follows:

- History – previous bond elections, annual capital outlay, pay as you go strategy, funding needed for construction of adequate facilities, major school building projects, facility issues including air conditioning, replacement of old schools, building new schools to meet needs of growth, capital challenges
- Bond consideration – economic climate, decrease in construction costs, low interest rates, no tax increase if voters approved proposed bond, utilize existing capital outlay funds to pay debt service on new bonds

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- Bond proposal approved by Board on August 11, 2009, to place \$256 million bond on the November ballot
- Projects – meet needs of new and current facilities including air conditioning in current elementary schools, junior high schools and high schools; building two new high schools
- Ballot language
- Summary and conclusion

Ben Horlsey distributed written materials to the City Council, and Granite School District representatives answered questions.

The City Council discussed giving the Granite School District representatives an opportunity to explain the bond issue during a Meet the Candidates Night scheduled Thursday, October 22, 2009, at the Utah Cultural Celebration Center (UCCC). Councilmembers expressed a consensus to allow five minutes at the beginning of the program for that purpose and also allow a table to be set up in the lobby area of the UCCC to answer questions from voters.

Terry Bawden, Granite School District Board member, expressed appreciation for the City's support and the partnership enjoyed with West Valley City.

Mayor Pro Tem Brooks thanked the District members for their attendance at the meeting and for the important information provided to the City Council.

3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED OCTOBER 20, 2009:**

City Manager, Wayne Pyle, stated two new items had been added to the Agenda for the Regular Council Meeting scheduled October 20, 2009, at 6:30 P.M. He discussed the new items and others as follows:

**Item No. 6.B. – PROCLAMATION HONORING C.R. ENGLAND, PRESIDENT EMERITUS GENE ENGLAND, AND ESTABLISHING OCTOBER 23, 2009, AS “GENE ENGLAND DAY” IN WEST VALLEY CITY**

City Manager, Wayne Pyle, stated Councilmember Brooks would read a Proclamation honoring C.R. England, President Emeritus Gene England, which would establish October 23, 2009, as “Gene England Day” in West Valley City, at the Regular Council Meeting scheduled October 20, 2009, at 6:30 P.M.

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### **Item. No. 9.B. – RESOLUTION NO. 09-319, RESOLUTION EXPRESSING SUPPORT FOR PASSAGE OF THE SPECIAL ELECTION PROPOSITION BY THE BOARD OF EDUCATION OF GRANITE SCHOOL DISTRICT**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-319 which would express support for passage of the special election proposition by the Board of Education of Granite School District.

Mr. Pyle stated the Board of Education of Granite School District had proposed a special bond election to be on the ballot on November 3, 2009. He further stated the purpose of the bond proposition would be for building of new schools, rebuilding of certain existing schools, and the air conditioning of all schools, many of which were located within the boundaries of West Valley City.

The City Manager reported the School Board had specifically represented that a portion of those bond proceeds would be used to pay for improvements to schools located within West Valley City, including rebuilding of Granger High School, as well as installation of air conditioning in many schools that did not already have air conditioning. He indicated the School Board has assured and represented the bond proposal would not result in an increase in taxes.

City Manager, Wayne Pyle, further discussed the proposed Resolution and answered questions from members of the City Council.

The City Council will consider proposed Resolution No. 09-319 at the Regular Council Meeting scheduled October 20, 2009, at 6:30 P.M.

Upon inquiry by the City Manager, there were no further questions regarding items scheduled on the subject Agenda.

#### **4. PUBLIC HEARINGS SCHEDULED OCTOBER 27, 2009:**

##### **A. PUBLIC HEARING, APPLICATION NO. ZT-6-2009, FILED BY WEST VALLEY CITY, REQUESTING A ZONE TEXT AMENDMENT TO SECTION 7-6-903 OF THE WEST VALLEY CITY MUNICIPAL CODE TO ADD COIN LAUNDRY AND BEAUTY SALONS AS A CONDITIONAL USE IN AN ‘RMH’ (RESIDENTIAL MOBILE HOME) ZONE**

City Manager, Wayne Pyle, stated a public hearing had been advertised for the Regular Council Meeting scheduled October 27, 2009, at 6:30 P.M., in order for the City Council to hear and consider public comments regarding Application No. ZT-6-2009, filed by West Valley City, requesting a zone text amendment to Section 7-6-903 of the West Valley City Municipal Code to add coin laundry and

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beauty salons as a Conditional Use in an 'RMH' (Residential Mobile Home) zone. He discussed proposed Ordinance No. 09-34 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

### **ORDINANCE NO. 09-34, AMENDING SECTION 7-6-903 OF TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING COMMERCIAL USES IN THE RESIDENTIAL MOBILE HOME ('RMH') ZONE**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 09-34 which would amend Section 7-6-903 of Title 7 of the West Valley City Municipal Code regarding commercial uses in the Residential Mobile Home ('RMH') zone.

Mr. Pyle stated that on July 28, 2009, a West Valley City Commercial Business License application had been reviewed by the Planning and Zoning Division for a beauty salon at 2771 South 2670 West. He also stated the business would be located within the clubhouse/management office for the Mountain View Mobile Home Park. He indicated this site was located within the 'RMH' zone and commercial uses were not permitted in that zone. He further stated the applicant, Gladys Garcia, had been notified and informed the license could not be issued. Ms. Garcia stated the facilities were already in place in the clubhouse and explained this use would be compatible with the surrounding residential area. She had submitted a zone text change application to allow for certain commercial type uses to be conditionally approved within the 'RMH' zone.

Jody Knapp, CED Department, further reviewed the Application and proposed Ordinance and answered questions from members of the City Council.

The City Council will hold a public hearing regarding Application No. ZT-6-2009 and consider proposed Ordinance No. 09-34 at the Regular Council Meeting scheduled October 27, 2009, at 6:30 P.M.

### **5. ORDINANCE NO. 09-35, AMEND SECTION 20-7-108 OF TITLE 20 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING ALTERNATIVE BILLING AGREEMENTS FOR STORM WATER UTILITY BILLINGS**

City Manager, Wayne Pyle, discussed proposed Ordinance No. 09-35 which would amend Section 20-7-108 of Title 20 of the West Valley City Municipal Code regarding alternative billing agreements for storm water utility billings.

Mr. Pyle stated the proposed ordinance change would require an alternative billing agreement with the owner of a property in order to assign payment of the Storm Water Utility fees to non-owners.

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The City Manager indicated the City ordinance stated that “property owners are to be billed for storm drainage utility services.” He further stated, currently, with the Rocky Mountain Power billing agreement payments were often received from lessees or property management companies. He further indicated the proposed ordinance change would accommodate Storm Water Utility payments from non-owners, provided the non-owner was current with payments and remained so. The revised ordinance would require the property owner to enter into an alternate billing agreement with the City and pay a deposit of \$50.00 or the equivalent of two months assessment, whichever was greater. He explained the deposit would protect the City should the non-owner fail to make payments until the billing process was modified to bill the property owner.

City Manager, Wayne Pyle, further reviewed the proposed Ordinance and answered questions from members of the City Council.

The City Council will consider proposed Ordinance No. 09-35 at the Regular Council Meeting scheduled October 27, 2009, at 6:30 P.M.

**6. CONSENT AGENDA SCHEDULED OCTOBER 27, 2009:**

**A. RESOLUTION NO. 09-320, RATIFY THE CITY MANAGER’S REAPPOINTMENT OF TERENCE CHEN AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-320 which would ratify his reappointment of Terence Chen as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Chen desired to be reappointed to the Sister City Committee and serve another term.

**B. RESOLUTION NO. 09-321, RATIFY THE CITY MANAGER’S REAPPOINTMENT OF KEVIN CONDE AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-321 which would ratify his reappointment of Kevin Conde as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Conde desired to be reappointed to the Sister City Committee and serve another term.

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- C. **RESOLUTION NO. 09-322, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF CATHY JENN AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-322 which would ratify his reappointment of Cathy Jenn as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Jenn desired to be reappointed to the Sister City Committee and serve another term.

- D. **RESOLUTION NO. 09-323, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF RALPH LEE AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-323 which would ratify his reappointment of Ralph Lee as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Lee desired to be reappointed to the Sister City Committee and serve another term.

- E. **RESOLUTION NO. 09-324, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF PAUL MAKI AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-324 which would ratify his reappointment of Paul Maki as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Maki desired to be reappointed to the Sister City Committee and serve another term.

- F. **RESOLUTION NO. 09-325, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF KATHY NELSON AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-325 which would ratify his reappointment of Kathy Nelson as a member of the Sister City

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Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Ms. Nelson desired to be reappointed to the Sister City Committee and serve another term.

**G. RESOLUTION NO. 09-326, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LAWAYNE REEVE AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-326 which would ratify his reappointment of LaWayne Reeve as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Reeve desired to be reappointed to the Sister City Committee and serve another term.

**H. RESOLUTION NO. 09-327, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF ENRIQUE SOSA AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-327 which would ratify his reappointment of Enrique Sosa as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Sosa desired to be reappointed to the Sister City Committee and serve another term.

**I. RESOLUTION NO. 09-328, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF KEITH SADLER AS A MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-328 which would ratify his reappointment of Keith Sadler as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mr. Sadler desired to be reappointed to the Sister City Committee and serve another term.

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- J. **RESOLUTION NO. 09-329, RATIFY THE CITY MANAGER'S REAPPOINTMENT OF LILA WRIGHT AS MEMBER OF THE SISTER CITY COMMITTEE OF WEST VALLEY CITY, TERM: JANUARY 1, 2010 – DECEMBER 31, 2010**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-329 which would ratify his reappointment of Lila Wright as a member of the Sister City Committee of West Valley City for the term January 1, 2010, through December 31, 2010.

Mr. Pyle stated Mrs. Wright desired to be reappointed to the Sister City Committee and serve another term.

- K. **RESOLUTION NO. 09-330, AUTHORIZE WEST VALLEY CITY TO ENTER INTO A RIGHT OF ENTRY AGREEMENT WITH PACIFICORP, AN OREGON CORPORATION, DBA, ROCKY MOUNTAIN POWER, FOR ACCESS TO FACILITIES ALONG THE EXISTING CORRIDOR NEAR 5600 WEST AT APPROXIMATELY 2951 SOUTH BURDOCK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-330 which would authorize West Valley City to enter into a Right of Entry Agreement with PacificCorp, an Oregon Corporation, dba, Rocky Mountain Power, for access to facilities along the existing corridor near 5600 West at approximately 2951 South Burdock Drive.

Mr. Pyle stated was expanding its transmissions lines along the 5600 West corridor to meet increased demand for electricity. He indicated in order to access its existing facilities Rocky Mountain Power needed the City to grant the subject right of entry document.

- L. **RESOLUTION NO. 09-331, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CARMA RAE ALLRED AND ARTHUR K. ALLRED FOR PROPERTY LOCATED AT 3253 SOUTH PEARCE STREET**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-331 which would accept a Grant of Temporary Construction Easement from Carma Rae Allred and Arthur K. Allred for property located at 3253 South Pearce Street.

Mr. Pyle stated Carma Rae Allred and Arthur K. Allred had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500

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South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**M. RESOLUTION NO. 09-332, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KIRK HILL AND SUZAN B. HILL FOR PROPERTY LOCATED AT 3417 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-332 which would accept a Grant of Temporary Construction Easement from Kirk Hill and Suzan B. Hill for property located at 3417 South Pearce Drive.

Mr. Pyle stated Kirk Hill and Suzan B. Hill had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**N. RESOLUTION NO. 09-333, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM E. KIRK HILL AND SUZAN B. HILL FOR PROPERTY LOCATED AT 3423 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-333 which would accept a Grant of Temporary Construction Easement from E. Kirk Hill for property located at 3423 South Pearce Drive.

Mr. Pyle stated E. Kirk Hill and Suzan B. Hill had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**O. RESOLUTION NO. 09-334, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KARLEEN MERKLEY FOR PROPERTY LOCATED AT 3319 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-334 which would accept a Grant of Temporary Construction Easement from Karleen Merkley for property located at 3319 South Pearce Drive.

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Mr. Pyle stated Karleen Merkley had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**P. RESOLUTION NO. 09-335, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM MYRTLE AFTON WILSON, TRUSTEE OF THE MYRTLE AFTON WILSON REVOCABLE LIVING TRUST DATED FEBRUARY 21, 2003, FOR PROPERTY LOCATED AT 3329 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-335 which would accept a Grant of Temporary Construction Easement from Myrtle Afton Wilson for property located at 3329 South Pearce Drive.

Mr. Pyle stated Myrtle Afton Wilson had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**Q. RESOLUTION NO. 09-336, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JON RICHARD WARE AND SUZANNE O. WARE FOR PROPERTY LOCATED AT 3367 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-336 which would accept a Grant of Temporary Construction Easement from Jon Richard Ware and Suzanne O. Ware for property located at 3367 South Pearce Drive.

Mr. Pyle stated Jon Richard Ware and Suzanne O. Ware had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid

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transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**R. RESOLUTION NO. 09-337, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM HOUSING AUTHORITY OF THE COUNTY OF SALT LAKE FOR PROPERTY LOCATED AT 3397-3399 SOUTH PEARCE DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-337 which would accept a Grant of Temporary Construction Easement from Housing Authority of the County of Salt Lake for property located at 3397-3399 South Pearce Drive.

Mr. Pyle stated the Housing Authority of the County of Salt Lake had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**S. RESOLUTION NO. 09-338, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM NEILANI W. RUAONE FOR PROPERTY LOCATED AT 3230 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-338 which would accept a Grant of Temporary Construction Easement from Neilani W. Ruaone for property located at 3230 South Meadowlark Drive.

Mr. Pyle stated Neilani W. Ruaone had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**T. RESOLUTION NO. 09-339, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM WILLIAM L. MILLER FOR PROPERTY LOCATED AT 3314 SOUTH MEADOWLARK DRIVE**

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City Manager, Wayne Pyle, discussed proposed Resolution No. 09-339 which would accept a Grant of Temporary Construction Easement from William L. Miller for property located at 3314 South Meadowlark Drive.

Mr. Pyle stated William L. Miller had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**U. RESOLUTION NO. 09-340, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM NANCY J. KOHUTEK FOR PROPERTY LOCATED AT 3178 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-340 which would accept a Grant of Temporary Construction Easement from Nancy J. Kohutek for property located at 3178 South Meadowlark Drive.

Mr. Pyle stated Nancy J. Kohutek had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**V. RESOLUTION NO. 09-341, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM CHARLES MOORE AND JANIS M. MOORE FOR PROPERTY LOCATED AT 3324 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-341 which would accept a Grant of Temporary Construction Easement from Charles Moore and Janis M. Moore for property located at 3324 South Meadowlark Drive.

Mr. Pyle stated Charles Moore and Janis M. Moore had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500

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South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**W. RESOLUTION NO. 09-342, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JERRY M. BENNETT AND NIELA O. BENNETT FOR PROPERTY LOCATED AT 3156 SOUTH MEADOIWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-342 which would accept a Grant of Temporary Construction Easement from Jerry M. Bennett and Niela O. Bennett for property located at 3156 South Meadowlark Drive.

Mr. Pyle stated Jerry M. Bennett and Niela O. Bennett had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**X. RESOLUTION NO. 09-343, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM ARTEMIO CONTRERAS FOR PROPERTY LOCATED AT 3168 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-343 which would accept a Grant of Temporary Construction Easement from Artemio Contreras for property located at 3168 South Meadowlark Drive.

Mr. Pyle stated Artemio Contreras had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**Y. RESOLUTION NO. 09-344, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JANICE E. MAWSON FOR PROPERTY LOCATED AT 3260 SOUTH MEADOWLARK DRIVE**

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City Manager, Wayne Pyle, discussed proposed Resolution No. 09-344 which would accept a Grant of Temporary Construction Easement from Janice E. Mawson for property located at 3260 South Meadowlark Drive.

Mr. Pyle stated Janice E. Mawson had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**Z. RESOLUTION NO. 09-345, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM TRUMAN K. LATIMER FOR PROPERTY LOCATED AT 3210 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-345 which would accept a Grant of Temporary Construction Easement from Truman K. Latimer for property located at 3210 South Meadowlark Drive.

Mr. Pyle stated Truman K. Latimer had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**AA. RESOLUTION NO. 09-346, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JORGE L. LAGUNAS FOR PROPERTY LOCATED AT 3260 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-346 which would accept a Grant of Temporary Construction Easement from Jorge L. Lagunas for property located at 3260 South Meadowlark Drive.

Mr. Pyle stated Jorge L. Lagunas had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid

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## **MINUTES OF COUNCIL STUDY MEETING – OCTOBER 20, 2009**

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transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**BB. RESOLUTION NO. 09-347, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM PATRICIA E. WELCH AND LAWANDA R. WELCH FOR PROPERTY LOCATED AT 3344 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-347 which would accept a Grant of Temporary Construction Easement from Patricia E. Welch and Lawanda R. Welch for property located at 3344 South Meadowlark Drive.

Mr. Pyle stated Patricia E. Welch and Lawanda R. Welch had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**CC. RESOLUTION NO. 09-348, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM JEANNETTE MILLAR AKA JEANNETTE BENNETT FOR PROPERTY LOCATED AT 3416 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-348 which would accept a Grant of Temporary Construction Easement from Jeannette Millar aka Jeanette Bennett for property located at 3416 South Meadowlark Drive.

Mr. Pyle stated Jeannette Millar aka Jeannette Bennett had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**DD. RESOLUTION NO. 09-349, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM KEITH M. JENSEN AND SHARON A. JENSEN FOR PROPERTY LOCATED AT 3406 MEADOWLARK DRIVE**

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City Manager, Wayne Pyle, discussed proposed Resolution No. 09-349 which would accept a Grant of Temporary Construction Easement from Keith M. Jensen and Sharon A. Jensen for property located at 3406 Meadowlark Drive.

Mr. Pyle stated Keith M. Jensen and Sharon A. Jensen had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**EE. RESOLUTION NO. 09-350, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM LEWIS WALL AND MELINDA D. WALL FOR PROPERTY LOCATED AT 3450 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-350 which would accept a Grant of Temporary Construction Easement from Lewis Wall and Melinda D. Wall for property located at 3450 South Meadowlark Drive.

Mr. Pyle stated Lewis Wall and Melinda D. Wall had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**FF. RESOLUTION NO. 09-351, ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM SIDNEY D. BRYANT, TRUSTEE OF THE SYDNEY D. BRYANT LIVING TRUST, DATED OCTOBER 12, 2004, FOR PROPERTY LOCATED AT 3376 SOUTH MEADOWLARK DRIVE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-351 which would accept a Grant of Temporary Construction Easement from Sidney D. Bryant, Trustee of the Sydney D. Bryant Living Trust, Dated October 12, 2004, for property located at 3376 South Meadowlark Drive.

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Mr. Pyle stated Sidney D. Bryant, Trustee of the Sydney D. Bryant Living Trust, Dated October 12, 2004, had signed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by a permanent trex fence to be placed along 2700 West from 3100 South to 3500 South in conjunction with the Utah Transit Authority light rail and bus rapid transit project from 3100 South to 3800 South along 2700 West. He also reported the subject easement would automatically expire June 30, 2010.

**GG. RESOLUTION NO. 09-352, APPROVE A DELAY AGREEMENT WITH KIRT AND CRYSTAL JOHNSTON FOR OFF-SITE IMPROVEMENTS ON PROPERTY LOCATED AT 1249 WEST PARKWAY AVENUE**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-352 which would approve a Delay Agreement with Kirt and Crystal Johnston for off-site improvements on property located at 1249 West Parkway Avenue.

Mr. Pyle stated Kirt and Crystal Johnston had petitioned to allow delay of construction of off-site improvements that included curb, gutter, sidewalk, and asphalt tie-in to the existing roadway. He explained that, at the present time, there were no existing improvements along the subject property. He indicated postponing construction of the improvements would allow time for additional development to provide similar improvements. He stated the combination of the delayed improvements from this agreement and others collected as development progressed would provide a more complete and contiguous design of the curb and gutter.

**HH. RESOLUTION NO. 09-353, ACCEPT A WARRANTY DEED FROM CAMBODIAN CHRISTIAN REFORMED CHURCH FOR PROPERTY LOCATED AT 4035 SOUTH 5600 WEST**

City Manager, Wayne Pyle, discussed proposed Resolution No. 09-353 which would accept a Warranty Deed from Cambodian Christian Reformed Church for property located at 4035 South 5600 West.

Mr. Pyle stated the Warranty Deed had been signed by the Cambodian Christian Reformed Church.

The City Manager reported that as a condition of obtaining a building permit for a new building, dedication of additional 5600 West right-of-way has been required. He indicated the existing half width right-of-way at this location was 49.74 feet. As additional 3.26 feet was being conveyed to the City which would provide a 53-

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## **MINUTES OF COUNCIL STUDY MEETING – OCTOBER 20, 2009**

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foot half width right-of-way in accordance with the West Valley City Major Street Plan.

The City Council will consider proposed Resolution Nos. 09-320 through 09-353 at the Regular Council Meeting scheduled October 27, 2009, at 6:30 P.M.

### **7. COMMUNICATIONS:**

#### **A. COUNCIL UPDATE**

City Manager, Wayne Pyle, stated the Council had previously received a Memorandum outlining upcoming meetings and events as follows: October 8 – November 5, 2009: Day of the Dead Alter Display, UCCC; October 8 – November 5, 2009: the 9 Muses Art Exhibit, UCCC; October 20-30, 2009: Early Voting for Municipal General Election; October 21, 2009: Pete Harman Day, Harman Home, 11:00 A.M. – 1:30 P.M.; October 22, 2009: Latino Seminar – Domestic Violence Awareness, UCCC, 6:30 P.M.; October 22, 2009: Meet the Candidates Night for Municipal General Election, UCCC, 7:00 P.M.; October 27, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; October 30, 2009: Day of the Dead Community Celebration, UCCC, 6:00 P.M. – 9:00 P.M.; November 3, 2009: Council Study & Regular Meetings – canceled; November 3, 2009: Municipal General Election; November 7, 2009: So You Think You Can Dance Tour, E-Center; November 9, 2009: 2009 Crime Prevention Seminar, Topic: Gang Awareness, Family Fitness Center, 6:30 P.M. – 7:30 P.M.; November 10, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 17, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; November 20, 2009, Ribbon Cutting for 3500 South Project, Granger Park, 1:00 P.M.; November 24, 2009: Council Study Meeting, 4:30 P.M.; Regular Council Meeting, 6:30 P.M.; November 26, 2009: Thanksgiving Holiday – City Hall closed; December 1, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 8, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; December 10-13, 2009: When Elmo Grows Up, E-Center; December 15, 2009: Council Study Meeting, 4:30 P.M., Regular Council Meeting, 6:30 P.M.; and December 24, 2009: Christmas Holiday – City Hall closed.

### **8. COUNCIL REPORTS:**

#### **A. COUNCILMEMBER STEVE VINCENT – WESTFEST COMMITTEE/WINCO GRAND OPENING**

Councilmember Vincent advised regarding a WestFest Committee meeting scheduled for the following day at which planning would begin for the following year. He invited input and suggestions from members of the Council for the next year's celebration.

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Councilmember Vincent stated he had visited the new WinCo store during its recent grand opening.

**B. COUNCILMEMBER COREY RUSHTON – JORDAN RIVER COMMITTEE**

Councilmember Rushton reported regarding a recent meeting of the Jordan River Committee.

**C. COUNCILMEMBER MIKE WINDER – GRIZZLIES HOCKEY TEAM, IMMIGRATION ISSUES AND HOLLYWOOD CONNECTION**

Councilmember Winder reported regarding a Grizzlies kickoff luncheon held earlier this day. He suggested it would be worthwhile to have a discussion with the owner regarding the City's part ownership of the hockey team.

Councilmember Winder stated he desired to have Immigration Customs Enforcement (ICE) representatives come to a Study Meeting to discuss immigration issues. City Manager, Wayne Pyle, advised that City staff was presently researching immigration issues, including programs and relationships ICE had with other entities. He also informed he had directed the Police Chief to evaluate information gathered and make a presentation to the Council in the future.

Councilmember Winder discussed a recent conversation with Debbie Brown regarding the Hollywood Connection.

**D. COUNCILMEMBER JOEL COLEMAN – COMMUNICATION WITH RESIDENTS**

Councilmember Coleman discussed an idea for ways to better communicate with residents by offering tickets to events at the E-Center as incentives for citizens to sign up for updates on the City's website. City Manager, Wayne Pyle, responded stating E-Center management would probably consider that idea.

**E. MAYOR PRO TEM BROOKS – DEVELOPMENT IN LAKE PARK CORPORATE CENTER AREA, FETZER'S 100<sup>TH</sup> ANNIVERSARY, AND GROUNDBREAKING AT HIGHBURY**

Mayor Pro Tem Brooks related recent conversations with representatives of Zions Securities during a golf tournament at Lake Park about proposed future development in the Lake Park Corporate Center area.

Mayor Pro Tem Brooks also reported regarding Fetzer's 100<sup>th</sup> anniversary open house stating it had been a great event and how much he appreciated that business in the community.

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## **MINUTES OF COUNCIL STUDY MEETING – OCTOBER 20, 2009**

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Mayor Pro Tem Brooks advised regarding a groundbreaking of a waterway and urban fishery in the Highbury development.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE STUDY MEETING OF TUESDAY, OCTOBER 20, 2009, WAS ADJOURNED AT 5:49 P.M., BY MAYOR PRO TEM BROOKS.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, October 20, 2009.

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Sheri McKendrick, MMC  
City Recorder

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